

Statewide Independent Living Council (SILC) MINUTES
November 28, 2012
Governor's Inn, Pierre

SILC MEMBER ORIENTATION – It was held from 1:30 p.m. to 4:30 p.m. on Tuesday, November 27th. Those in attendance for all or part of the orientation were: Margot Burton, Annette Gamber, Sarah Rush, Isabel Trobaugh, Tammy Kabris, Sandy Neyhart, Steve Stewart, Bernie Grimme and Vona Johnson. Shelly Pfaff provided the orientation.

SILC MEMBERS PRESENT: Margot Burton, Patrick Czerny, Matt Cain, Lyle Cook, Larry Puthoff, Isabel Trobaugh, Vona Johnson, Tammy Kabris, Sarah Rush, Bernie Grimme, Dave Miller, Sandy Neyhart, Steve Stewart, Annette Gamber and Ken Rollman. **SILC MEMBERS ABSENT:** Shelly Schock and Monte Tschetter. **OTHERS PRESENT:** Grady Kickul, DRS; Denise White, DRS; Julie Paluch and Jessica Ryhkas, Interpreters; and Shelly Pfaff, SILC staff.

OPENING ACTIONS: WELCOME & INTRODUCTIONS – Margot, Chairperson, called the meeting to order at 8:35 with a greeting to all, and asked for introductions. **MEETING PROTOCOL:** Margot drew attention to the meeting protocol, especially noting who were voting and non-voting members. **APPROVAL OF AGENDA** – After confirming everyone had a copy, Margot called for any changes or additions. Ken indicated he did not remember receiving the minutes. Staff indicated they had been emailed. It was agreed they would check to be sure staff had the correct email address. Bernie asked to add an item under the DRS Report – DHS Strategic Plan. **MOTION TO ACCEPT THE AGENDA AS AMENDED – MADE (M), SECONDED (S) AND CARRIED (C).** **APPROVAL OF MINUTES** – After confirming everyone received and reviewed a copy of the September 12th minutes; Margot called for changes/additions. Hearing none – **MOTION TO APPROVE THE SEPTEMBER 12TH, 2012 MEETING MINUTES AS WRITTEN – MSC.**

PUBLIC COMMENT: Margot called for public comment. Lyle expressed thanks for all of the support during the Fall Conference.

DRS REPORT: Bernie invited Grady Kickul to speak to the additional agenda item. **DHS STRATEGIC PLAN** – Grady explained how the Department of Human Services management staff, under the leadership of Secretary Gill, has been working on the development of a new department strategic plan. He shared that they now have a “draft” start on that plan. He showed a one-page document, which includes a ‘vision statement’ as well as ‘goals’ on one side. On the other

side there is room for strategies with specific measureable outcomes. Secretary Gill will be sending this document out to leadership of the various boards/council associated directly with the department, as well as consumer organizations, provider groups, seeking feedback on the strategies. It is expected that this letter will be going out within the next couple of days. Consequently, Grady was not able to leave the document with the SILC. He added that Secretary Gill's letter will also be encouraging those receiving it to share this information widely, inviting others to provide feedback into the department's strategies and specific measureable outcomes within the strategic plan.

RSA MONITORING REVIEW FOLLOW-UP – Bernie provided an overview of the RSA review process including timeline and structure. The DRS review was held May 14th – 17th and the DSBVI review was held June 26th – 28th. The final reports are available at the RSA website – www.rsa.ed.gov. The majority of findings were found in both divisions. They related to: third party arrangements, contract monitoring, program income, procurement for client services, submission of accurate fiscal reports, allowable match for VR program, cost allocation between DRS and SBVI, and agreement between the State VR agencies and the Office of Special Education. There were no 'pay back' penalty issues. DRS is in the process of submitting a corrective action plan.

GOVERNOR'S AWARDS – Bernie provided an overview of the awards process including the involvement of representatives from the BVR, BSBVI and SILC. He then handed out a program from this year's event and a picture of the Governor and award recipients (see attachment). He also gave a synopsis of the 2013 process timeline, and asked if the SILC wished to again participate. Shelly Schock has represented the SILC the past couple of years. Sarah volunteered to participate this year, and Margot appointed Sarah as the SILC representative for the 2013 committee. Bernie concluded by thanking the staff for an excellent job in support of this event.

NDEAM – Bernie spoke of the past collaboration between the BVR, BSBVI and SILC on these activities. He handed out a synopsis of this year's events (see attachment), and he asked if the SILC wished to again have representation in 2013, and would possibly consider providing monetary support. Annette volunteered to represent the SILC on this committee, and Margot appointed her to do so. It was agreed that if additional funds are needed to support NDEAM events, a proposal should be brought forward to the SILC for their consideration.

DHS PUBLIC INFORMATION OFFICER – A question was asked if the department hiring a public information officer would impact the Governor's Awards or NDEAM processes. Grady Kickul indicated that he did not believe that it would impact these processes other than when it comes to publicity of their outcomes.

FALL CONFERENCE – Bernie provided an overview of the conference, which had a Native American theme and focus. He thanked Lyle for all of his support and assistance with the conference. There were a total of 193 attendees – 6% tribal VR, 6% board/council members, 12% other, 30% providers, 8% school personnel, 28% VR personnel. Next year

will tentatively be in either Pierre or Aberdeen, and it may have a veterans focus. **BOARD OF VOCATIONAL REHABILITATION** – During their September meeting DHS Secretary Gill presented, as did Liz Fabiano, who was providing training to DRS staff on cognitive motivation. The agenda also included items on the Department of Labor National Career Readiness Certificate, provider survey, changes to the appeals process and election of officers. Their next meeting is in Oacoma in December.

A question was asked for an update on the activities of the Assistive Technology Re-use Committee. Steve reported that the committee is still waiting for the 'request for proposals' to come out.

DSBVI REPORT: Sandy provided this report. **BOARD OF SBVI** – The division and board held a public meeting and board meeting in conjunction with the annual SD Association of the Blind convention in Sioux Falls. About 30 people participated in the public meeting. She reminded the SILC of their board's two new members – Dan Weischedel and Eric Rippentropp. Their next meeting is scheduled for December 7th in Pierre. Member orientation will be held from 8 a.m. to 10 a.m., and the regular meeting will be held from 10 a.m. to 3 p.m. A topic for the BSBVI on their December meeting agenda will be establishing a schedule for their public meetings for the coming year. Sandy reported the BSBVI has used the DDN (video-conferencing system) for public meetings, as well as they held a public meeting in Lower Brule last year. The BSBVI hopes to identify ways to conduct public meetings in meaningful ways in order to expand on public input. She reported that the Deaf/Blind Equipment Distribution Program had a 'kick-off' event yesterday. The division received \$68,000 for one year from the Federal Communications Commission for this program. It is a program designed to serve people who are deaf/blind of all ages. **OLDER BLIND IL PROGRAM** – Sandy briefly explained the IL OB Consumer Satisfaction Survey process and format. She reported that 281 were sent out, and 171 were returned for a return rate of 61%. Sixty-one respondents indicated that prior to receiving services, they were considering moving into a more dependent setting; 26 cases were closed unsuccessfully for various reasons. They currently have 502 cases as compared to 504 last year. The largest shift in numbers has been in the under 55 category; previously the number was between 30 and 45 and currently it is around 19. The CCTV program expanded by 12 additional units in October with 22" HDTV panels; currently there is no waiting list for this program. A question was asked that since RSA has now indicated that program income needs to be spent prior to drawing down federal funds, can Social Security reimbursement funds be used to support the CCTV program i.e., replace old units? Bernie said he knows it can be used for VR and IL but is uncertain about the specific language. He will research it and get back with information on it.

DRS IL SPECIALIST REPORT – Denise provided this report after being welcomed back. **ILS REPORT** – Denise handed out a graph showing the number of hours of service, amount of dollars and percentage of dollars spent in Core Services, HMA/D/TAD and Other services from June through September of 2012 (see handout). It showed 57% in core services, 17% in HMA/D/TAD services and 26% in other services. Dave referenced minutes from the last meeting indicating a SILC request that it receive more detailed information at future meetings, and asking why it seemed they were receiving less information this meeting than last. Denise indicated that she had been out of the office a lot since the last meeting, and she had not read the minutes prior to preparing her report. The previous minutes references items such as receiving a breakdown of data within the ‘core services’ and ‘other’ categories, as well as understanding how data is categorized within the data system used by the CILs. Denise said that information is available, and if she can know specifically what additional data is desired, then she will work to provide that to the SILC. Dave stressed that the purpose of requesting such data is to have the information that the SILC needs to carry out its functions of monitoring the state plan and the delivery of services within the state, not compare CIL to CIL. At the conclusion of this conversation, it was agreed that Denise, Dave and Shelly will work together to explore what data elements are readily available, would be helpful to the SILC in carrying out its functions and responsibilities and bring back examples at a future meeting.

ADLS REPORT – Denise reported that the program currently has around 110 participants – an all-time low for the program. When asked for reasons why it may be at an all-time low, Denise indicated that for some people who apply, they are not Medicaid eligible and thus are referred to DSS for their Medicaid State Plan attendant care services; there is still a cost-share for the program and even though earned income is not considered, other income such as SSDI is and this is a barrier for some; and some applicants do not want to manage or self-direct their own services, which is a critical element of this program. Dave asked if another reason may be that first responders may be doing a better job at responding to medical situations, and consequently the injuries do not result in the same level of impairment as in past years. Denise said she couldn’t answer that question, yet knowing that medicine is changing daily; it is probably safe to assume the same is true when it comes to the role, training and response of first responders. Other SILC members shared from their personal experiences that first responders seem to be more medically trained and have access to better equipment, treatments that may be making a dramatic difference for some people. Dave said his reason for asking is that maybe an all-time low is not a ‘bad’ thing – it may be a positive trend. Denise said that one group that struggles to make this program work is people with traumatic brain injuries due to their

short term memory loss and the impact on their ability to self-direct and manage their services.

SILC EXECUTIVE SECRETARY REPORT: Shelly provided this report. **FY13 YTD BUDGET REPORT** – Shelly handed out a report covering expenditures from June 1st – October 31st (see attachment). She also referenced the budget report sent out earlier for the entire FY12 agreement year. **SILC APPOINTMENT TO ASSISTIVE TECHNOLOGY PROJECT COUNCIL** – Shelly reported that Grady had contact her asking that the SILC consider having Matt Cain, SILC member, be the SILC's representative on the AT Project Council, which advises DakotaLink – South Dakota's AT project. Sarah also indicated an interest in serving on the council, as a user of AT. The Council meets as often as necessary, but no more than three to four times a year. It often uses video-conferencing for meetings. The project receives around \$400,000 a year. **MOTION THAT MATT BE THE SILC REPRESENTATIVE ON THE AT COUNCIL AND SARAH BE RECOMMENDED TO FILL ANOTHER POSITION ON THE COUNCIL – MSC.** Pat will carry this information back to Dave Scherer, DakotaLink Director. **REGION VIII SILC CONFERENCE CALL** – Shelly reported that a call was held on October 25th. The topics covered were the 2013 SILC Congress, getting and retaining SILC members, youth involvement and SILC staffing. Shelly reported that the next call is tomorrow, and one of the agenda topics she has asked for is how states go about developing their SPILs. **2013 SILC CONGRESS** – Shelly provided some brief background on SD's involvement with the SILC congress many year's back. The 2013 information had been sent out with the member's earlier mailing. Sarah indicated that she attended one about two years ago. After some conversation the consensus was to not send anyone this year. The SILC will use this year to see what happens at this year's event, see what we learn from it and then make a decision on participation for next year. **SECTION 704 REPORT** – Shelly shared that this is the one report that the RSA Commissioner requires the SILC, DSU and separate agency serving individuals who are blind complete annually. It is due the end of December, and in the past Denise, Sandy and Shelly draft the report on behalf of the three entities. The three signatories of the SPIL sign off on the 704 report. We will begin working on it very soon.

SILC CONSUMER SATISFACTION SUB-COMMITTEE REPORT: Bernie provided this report. The Committee members are: Bernie, Tammy, Sandy and Matt. Shelly attended as staff support. They met on the 19th at which time they received some history behind the SILC's conversation on this topic, reviewed the surveys and processes currently used by the CILs and the SBVI Older Blind IL program, reviewed what the Rehabilitation Act, regulations and State Plan say about consumer satisfaction surveys and the SILC's role, and then brainstormed

options for further SILC action in this area. They also talked about the goal and purpose of such activities. The SILC had some dialogue following Bernie's report, and consensus was that the SILC would like to work with the DSU and the CILs to incorporate four to six questions into the CILs consumer satisfaction surveys rather than create and circulate a new and separate one. They asked the sub-committee to come to the next meeting with draft questions, and draft recommendations on a process for the SILC's consideration and possible action.

STATE PLAN FOR INDEPENDENT LIVING SUB-COMMITTEE: Margot asked Dave, who is chairing this group, if it will be meeting soon. Dave said they would be doing so. This committee is made up of Dave, Sarah, Sandy and Matt. Denise and Shelly will provide staff support to the sub-committee.

CIL REPORTS: **WESTERN RESOURCES FOR DISABLED INDEPENDENCE** – Ann had been at the meeting earlier, but she had to leave in order to interview a potential new hire for the Pierre office. Margot handed out the written report (see attached). The one item pointed out was that WRDI has recently started a new adult day program, and they are excited about its potential role in their mission and services. **INDEPENDENT LIVING CHOICES** – Matt handed out his written report (see attached) and hit some highlights from it i.e., they trained seven new Peer Visitors; started a new Youth/Young Adult Peer Support Group in Watertown; held a Participant Input Group Meeting in Sioux Falls; and provided a Thanksgiving Dinner at ILC in Sioux Falls for participants. **NATIVE AMERICAN ADVOCACY PROJECT** – Shelly shared that Marla had been in touch indicating she would not be able to attend the meeting. She did provide a written report (see attached), and Shelly shared Marla's holiday greetings to all the SILC members.

OTHER BUSINESS: **DISABILITY ADVOCACY NETWORK** – Since Margot was ill and unable to participate in the Disability Policy Summit, she asked Dave to report on it. Dave briefly explained the purpose of the Disability Advocacy Network (DAN) and gave an overview of the Summit. He explained much of the conversation was limited by the fact that it was held prior to the election. The election had the sales tax initiative on the state ballot, as well as the outcome of the presidential race and its result on the Affordable Care Act and other policies. The Governor will be making his budget address next week Tuesday. Shelly, as Coalition Executive Director, will be meeting with DHS Secretary Gill and DSS Secretary Malsam-Rysdon later in the week next week, and after that we should have further information on the state budget and any legislation coming out of those two departments. Vona shared that the SD Multi-Housing Association is preparing some legislation concerning clarification of the definition of companion animals, and this might be of interest to the DAN. The DAN will hold a video-

conference meeting on December 13th from 2 p.m. to 5 p.m. (CST), and SILC members were invited to participate. Sara indicated an interest in participating. Margot also shared that once the state legislative session is underway, the DAN meets every two weeks via video-conference to remain current on issues in Pierre.

OTHER BUSINESS: Larry shared that South Dakota Association of the Deaf will be holding a conference in June in Deadwood. One of their key speakers will be a lawyer who is deaf, and he now works and resides in Washington D.C. As further information is available, he will share it so the SILC and others can circulate it widely.

CLOSING ACTIONS: FUTURE AGENDA ITEMS – Margot asked for future agenda items. Hearing none, she indicated that we would include time for the standing reports and the two SILC sub-committees reports. It was also agreed there would be a presentation on the Aging and Disability Resource Connections by DSS personnel. Tammy Kabris will work with staff to arrange this presentation. Members were also invited to share other agenda items with staff or a member of the executive committee. **SCHEDULING OF NEXT MEETING** – Consensus was that staff will work to make arrangements during either the week of February 18th or 25th in Pierre/Ft. Pierre, and towards the earlier part of the week. As soon as arrangements have been made, word of the dates will be communicated to SILC members so they can get the dates on their calendars. It will again be a one-day meeting. **ADJOURNMENT** – Margot asked if there was any other business. Hearing none, she wished everyone good holidays. **MOTION TO ADJOURN – MSC.** Meeting adjourned at approximately 2:30 p.m.